

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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UNITED STATES OF AMERICA,                        )  
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  )  
  )  
v.  ) CRIMINAL ACTION  
  )  
  ) NO. 04-10288-RWZ  
CARLOS ESPINOLA, ET AL                          )  
Defendants,  )  
  )  
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INITIAL STATUS REPORT  
November 17, 2004

SWARTWOOD, M.J.

The following is an Initial Status Report to Zobel, J. to whom this case is assigned:

1. Initial Discovery

This is a multi-Defendant (13) case which involves a great deal of discovery concerning consensually recorded telephone conversations, videotapes and numerous documents concerning alleged controlled purchases of illegal drugs. The Government shall meet its obligation for automatic discovery in this case by November 29, 2004. Counsel for many of the Defendants have requested an extended period of time within which to review discovery produced by the Government and to discuss that discovery with their clients. I have granted that request.

2. Further Status Conference

A further status conference shall be held in this case on

January 27, 2005, at 2:00 p.m., in Courtroom 16, Fifth Floor, John Joseph Moakley United States Courthouse, 1 Courthouse Way, Boston, Massachusetts. It will be necessary for all counsel to be present at this status conference.

3. Excludable Time

I am excluding from the Speedy Trial Act, the period from October 18, 2004 (date of expiration of prior order of excludable time) through January 27, 2005 (date by which the initial stage of discovery will be completed and by which date a decision shall be rendered on pending motions). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Thursday, April 7, 2005.

/s/Charles B. Swartwood, III  
CHARLES B. SWARTWOOD, III  
MAGISTRATE JUDGE